

REMARKS

The limitation of claim 15 has been added to base claim 11, thereby to place claim 11 in condition for allowance, and with it the claims that depend therefrom, namely, all the rest of the claims of the case.

Of course, claim 15 has been canceled as redundant of thus amended claim 11.

Reconsideration is respectfully requested, for the rejection of the claims as amended, as unpatentable over UK 2209041 in view of DE 20116169 and RUBY.

The UK and German references need no comment.

The rejection falls down on RUBY.

To have a proper rejection of claim 11 with the available references, it would have to be true that the distance between the rectangular blocks of RUBY is the same as their thickness. However, in fact, this is not true. In RUBY, the thickness of the blocks is substantially greater than the distance between them; and this is explained by Figs. 9 and 10 of RUBY. Specifically, the device of the rectangular blocks, in RUBY, is intended only as the precursor or intermediate product of what would be the Fig. 9 arrangement, namely, with sheet material on opposite sides of the rectangular block. The sheet material then allows the procedure of claim 10 to be performed, namely, a selective slitting of the top sheet material, so as to locate the positions in which curved contours are to be provided.

Such a curved contour is shown for example in Fig. 11, in which the slit material helps to prevent the blocks from coming into engagement with each other, which engagement at any case would only be a line contact.

A full-side engagement of the blocks with each other, is shown in Figs. 12 and 14 of RUBY; and for this purpose, the blocks are not spaced part, but rather are provided in the form of trapezoids.

Thus, RUBY never had the concept of Fig. 2 of the present invention in which right angles are provided by the expedient of making spacing between the foam blocks equal to their thickness. Indeed, RUBY could not have produced the Fig. 2 arrangement with any of the structures disclosed in RUBY.

The only thing RUBY could suggest, in the field of the present invention, namely, providing a right angle turn, is to use a device such as shown in Fig. 12, in which inclined surfaces are at 45 degree angles, so that when two of them come together, they form a right angle. Thus, in our Fig. 2 arrangement, if the teaching of RUBY were followed, the joint lines between the contacting foam slabs would extend diagonally in the corners, and not as shown. This would have the great disadvantage that special manufacturing techniques would be needed for the foam slabs with their edges diagonally cut off in oppositely inclined directions. Contrast this to the simple arrangement of the present invention, in which foam blocks 6 of the desired shape,

as shown our Fig. 3 can be produced by the simplest severing operation from a larger sheet.

As amended claim 11 clearly brings out this novel and unobvious aspect of the present invention, it is believed that claim 11 is patentable and with it the claims that depend therefrom.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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